

### **IN THE DRAWINGS**

Please replace the original Figure 7 with the attached replacement Figure 7 that includes the legend "Prior Art".

## **REMARKS**

The above amendments and following remarks are fully and completely responsive to the Office Action dated March 16, 2005. Claims 1, 2, 5, 7, 10 and 12 are pending in this application with claims 1, 5, 7, 10 and 12 amended and claims 3-4, 6, 8-9, 11 and 13 canceled by the present Amendment. In the outstanding Office Action, Figure 7 was objected to; claim 9 was rejected under 35 U.S.C. § 112, second paragraph; claims 1-2 were rejected under 35 U.S.C. § 102(b); and claims 3-4 and 12-13 were rejected under 35 U.S.C. § 103(a). No new matter has been added. Claims 1, 2, 5, 7, 10 and 12 are presented for reconsideration.

### **Drawing Objection**

Figure 7 was objected to because the Office Action asserted that this figure should be designated by a legend such as "Prior Art" because only that which is old is illustrated. The enclosed replacement Figure 7 is marked with the legend "Prior Art". Accordingly, Applicant requests reconsideration and withdrawal of the objection to Figure 7.

### **35 U.S.C. § 112, Second Paragraph**

Claim 9 was rejected under 35 U.S.C. § 112, second paragraph. The cancellation of this claim renders this rejection moot.

### **35 U.S.C. §§ 102(b) and 103(a)**

Claims 1-2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Carter et al. (U.S. Patent No. 5,001,412, "Carter"). In making this rejection, the Office Action asserts that this reference teaches each and every element of the claimed invention.

Claims 3-4 and 12-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter in view of Watanabe et al. (U.S. Patent No. 5,402,024, "Watanabe"). In making this rejection, the Office Action asserts that the combination of these two references teaches and/or suggests the claimed invention. The Office Action also asserts that the combination of these two references would be obvious to one of ordinary skill in the art.

The cancellation of claims 3, 4 and 13 renders the rejection of these claims under 35 U.S.C. § 103(a) moot. Applicant requests reconsideration of the rejection of claims 1-2 and 12.

Claim 1, as amended, recites in part:

...mounting sections for the magnets on said rotor base section are highly rigid sections having a predetermined rigidity, and non-mounting sections of the rotor base section where the magnets are not mounted are resilient sections allowing a predetermined elastic deformation, wherein the mounting sections and the non-mounting sections are arranged in alternation with each other.

The Office Action admits that Carter fails to teach that the mounting section for the magnets on the rotor base section is a highly rigid section having a predetermined rigidity and that the section of the rotor base section where the magnets are not mounted is a resilient section allowing a predetermined elastic deformation (Office

Action, page 4, section 7, first paragraph). Accordingly, the amendment of claim 1 to include the limitation of “mounting sections for the magnets on said rotor base section are highly rigid sections having a predetermined rigidity, and non-mounting sections of the rotor base section where the magnets are not mounted are resilient sections allowing a predetermined elastic deformation” overcomes the rejection of claims 1-2 under 35 U.S.C. § 102(b).

The Office Action cites Watanabe as teaching a permanent magnet rotor with a mounting section 1 for the magnets 5 on the rotor comprising a highly rigid section having a predetermined rigidity and the section (with fastening members 3) of the rotor where the magnets are not mounted comprising a resilient section allowing a predetermined elastic deformation. However, Watanabe actually discloses a single permanent magnet 5 (not a plurality of magnets, see column 3, line 11) fixed in a peripheral portion (i.e., the edge) of the outer peripheral portion and the central portion 2. Watanabe, however, fails to teach that the mounting sections for the magnets and the non-mounting sections, where the magnets are not mounted, are arranged in alternation with each other.

Consequently, neither Carter alone, nor Carter in combination with Watanabe, teaches and/or suggests the claimed invention. Specifically, neither reference, alone, or in combination, teaches and/or suggests that the mounting sections and the non-mounting sections are arranged in alternation with each other. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1 and 2 under 35 U.S.C. § 102(b) and the rejection of claim 12 under 35 U.S.C. § 103(a).

### **Allowable Subject Matter**

The Office Action admits that claims 5-8 and 10-11 contained allowable subject matter, but were objected to as being dependent upon a rejected base claim. As discussed above, claim 1, and consequently, the claims that depend therefrom are allowable. Accordingly, claims 5, 7 and 10 now depend from an allowable base claim. Claims 6, 8 and 11 have been canceled.

Claim 9 was also indicated as containing allowable subject matter and would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph. Claim 9 has been canceled.

### **Conclusion**

Applicant's amendments and remarks have overcome the objections and rejections set forth in the Office Action dated March 16, 2005. Specifically, Applicant's replacement drawing sheet for Figure 7 overcomes the objection to Figure 7. Applicant's remarks have distinguished claims 1-2 from Carter and thus overcome the rejection of these claims under 35 U.S.C. § 102(b). Applicant's remarks have also distinguished claim 12 from the combination of Watanabe and Carter and thus overcome the rejection of this claim under 35 U.S.C. § 103(a). Claims 5, 7 and 10 were indicated as containing allowable subject matter, but were objected to as depending from a rejected base claim. As discussed above, claims 5, 7 and 10 now depend from an allowable base claim and thus overcome the objection to these claims. Accordingly, claims 1, 2, 5, 7, 10 and 12 are in condition for allowance. Therefore, Applicant respectfully requests consideration and allowance of claims 1, 2, 5, 7, 10 and 12.

Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicant respectfully petitions for an appropriate extension of time.

The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, making reference to attorney docket number 107439-00095.

Respectfully submitted,  
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Enclosures: Replacement Sheet (Figure 7)

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